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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 3570 OF 2005
IN
INCOME TAX APPEAL (L) NO. 1573 OF 2005

The Commissioner of Income Tax ... Appellant

Versus

Shri. Mayur M. Kothari ... Respondent

Mr. B.M. Chatterjee with Ms. P.P. Bhosale and Mr. P.S. Sahadevan for the Appellants.

Mr. J.D. Mistry with Mr. Raj Darak for Respondent.

CORAM: F.I. REBELLO &
J.P. DEVADHAR, JJ.
DATED: SEPTEMBER 12, 2007

P.C.:

. There is delay of 435 days for preferring the appeal. It is pointed out that the order of the tribunal was received on 13.5.2004. The appeal was filed on 18.11.2005. The explanation given for not filing the appeal in time is vague and general in terms. Considering the same, the cause shown would not amount to sufficient cause. Hence, motion dismissed.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**